

VIRGINIA COMMISSION ON YOUTH

May 7, 2014
10:00 a.m.
House Room C

MINUTES

Attending:

Delegates Christopher Peace, Robert Brink, Richard P. Bell,
Senator Stephen H. Martin
Citizen members Charles Slemp

Attending Electronically:

Dr. Frank S. Royal, Delegate Mayme E. BaCote, Senator Dave W. Marsden (monitoring)

Not Attending:

Delegates Ben Chafin, Jr., Peter F. Farrell
Citizen member Gary Close

Staff Attending

Amy Atkinson, Leah Mills, Kristin Lough, Will Egen

I. Call to Order and Opening Remarks

Delegate Christopher K. Peace, Chair

Delegate Peace welcomed everyone to the meeting. Delegate Peace asked that the Commission recognize the newest members of the Commission on Youth, Delegate Dickie Bell, who was present, and Delegate Ben Chafin of Russell County, who was unable to attend the meeting. Delegate Peace also introduced the newest staff members of the Commission on Youth. Ms. Kristin Lough, who is updating the Commission's *Collection of Evidence-Based Practices for Children and Adolescents with Mental Health Treatment Needs*. Mr. Will Egen recently passed the Virginia Bar and will be helping the Commission with several legislative studies.

Delegate Peace noted that the focus of the meeting is to adopt the 2014 study plans and receive presentations about Virginia's Family Impact Seminars, the Three Branch Institute, and Medicaid Managed Care for Foster Care Youth. Delegate Peace then introduced Dr. Nichols-Casebolt and Dr. Secret.

II. Virginia's Family Impact Seminars – Discussion of Topics for 2014

Dr. Ann Nichols-Casebolt, Senior Associate Vice President for Research Development, Virginia Commonwealth University

Dr. Mary Secret, Associate Professor, School of Social Work, Virginia Commonwealth University

Dr. Nichols-Casebolt informed the Commission members that Virginia is one of 25 sites in a network of states conducting Seminars for policy-makers. The Commonwealth joined the network in the fall of 2007. The Family Impact Institute, which is based in

Madison, Wisconsin, provides technical assistance. Funding is provided by the W.K. Kellogg Foundation, the William T. Grant Foundation, and the Annie E. Casey Foundation. The Virginia Family Impact Seminars (VAFIS) have partnered with the Commission on Youth since 2007. Past seminar topics include truancy, substance abuse, and workforce development and military families. VAFIS previously received funding from the Governor's Office on Substance Abuse Prevention (GOSAP), and the Virginia Wounded Warrior Program in the VA Department of Veterans Services.

The Family Impact Seminar (FIS) model includes annually obtaining input from key state legislators and other policy-makers to identify family-related state-level issues. The FIS model emphasizes nonpartisan, solution-oriented research. A one-day seminar is convened so that national experts provide FIS attendees briefing reports and discussion sessions on an identified policy issue.

Each Seminar has had an average attendance of 70 to 100 interested stakeholders. VAFIS has received positive feedback about the Seminar. Participants consistently report that they know more about the issue after the seminar than before, and that the seminar information is very relevant to their needs and interests.

Delegate Peace thanked Drs. Nichols-Casebolt and Secret for the information they provided. He then directed the members to complete the survey to help select a topic the VAFIS and Commission on Youth should pursue in 2014 and return it to Commission staff.

III. Three Branch Institute on Child Social and Emotional Well-Being

Amy M. Atkinson, Executive Director

Ms. Atkinson asked that the Commission members please recognize Kim McGaughey, as she is struggling with a recurrence of cancer. Ms. McGaughey has been managing the activities for Three Branch Institute on Child Social and Emotional Well-Being.

Ms. Atkinson provided an overview of activities with the Three Branch Institute. She informed the members that the Three Branch Institute works with participating states to improve social and emotional well-being for children in foster care. The executive, judicial, and legislative branches of government are members of the Three Branch teams. Virginia is one of only seven states selected to participate in the institute.

Ms. Atkinson noted the Executive Branch representatives included staff from the Governor's Office and Secretary's Office. Virginia Department of Social Services' Commissioner Margaret Schultze served as the Team Leader. Other representatives included the Executive Director from the Office of Comprehensive Services, staff with the Department of Medical Assistance Services. Legislative Branch representatives included two Senators, two House of Delegate members, and the Commission on Youth Executive Director. The judicial branch was represented by the Director of the Court Improvement Program with the Virginia Supreme Court and a Juvenile & Domestic Relations Court Judge. Other child-serving agencies represented on the team include the Virginia League of Social Services Executives, the Virginia Association of Community Services Boards, and the Virginia Association of School Superintendents.

Ms. Atkinson explained that well-being outcomes top the important themes of the Three Branch Institute. The well-being outcomes for children that Virginia's team is addressing

include physically health, primary health care, dental services, and emotional and behavioral health.

Ms. Atkinson continued to explain that desired outcomes include all youth in foster care receiving medical exams within 30 days of entering foster care based on Medicaid's Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) periodicity schedule. In addition, these youth will receive dental exams every six months. For behavioral and emotional health, all youth with urgent health, mental health, or substance abuse needs will be assessed within 72 hours of entry into foster care. Additionally, clinicians will assess these youth using the Child & Adolescent Needs and Strengths Assessment (CANS) based on needs of youth/family and intensity of services provided, annually, and within 90 days prior to exiting foster care. Ms. Atkinson noted another goal was that all foster care youth attend, remain in, and succeed in school.

Ms. Atkinson then outlined the Three Branch Institute's use of health, behavioral health, psychotropic medication, and educational performance outcome data to improve decision making on a regular basis. Additionally, this data will help define outcomes and analyses using existing data across agencies. Through this data, the Three Branch Institute and Virginia will institute mechanisms for sharing/protecting data, analyzing baseline data, and finalizing core measures/quality indicators for ongoing tracking. The partnership will incorporate this into agencies' data reporting systems and provide management reports to help state and local agencies make decisions and assess progress.

Ms. Atkinson explained that, since July 2013, Virginia has incorporated well-being activities into foster care guidance, and is currently integrating many well-being outcomes into the Department of Social Services' automated data system. Additionally, well-being outcomes and actions are being incorporated into Virginia's five-year plan with sections safety, permanency, and well-being.

In Virginia, 64 percent of children (2,890) in foster care are also now in Medicaid Managed Care. Implementation has occurred in phases, starting in September 2013 and continuing through June 2014. Benefits of Medicaid Managed Care include health care provider access, service coordination, case management, targeted services for chronic conditions, and access to a 24-hour nurse advice line.

Ms. Atkinson further outlined that the Three Branch Institute helped strengthen the CANS Assessment for youth in foster care. A survey prompted 186 responses from front-line users on how to improve CANS. From this survey, CANS reports will be modified to assess progress over time on topics like safety, permanency, and well-being.

Ms. Atkinson noted that Commissioner Schultze has been invited to share the work of the Three Branch Institute including the Institute of Medicine and National Research Council and the American Public Health Services Association's National Policy Forum.

The next steps for the Three Branch Institute include a leadership team meeting and a national meeting in Milwaukee. Ms. Atkinson stated that she would present on the Institute to the Commission on Youth in the fall.

Mr. Slemp asked what type of well-being activities were being incorporated. Ms. Atkinson answered that she would be happy to obtain that information.

Delegate Peace thanked Ms. Atkinson for her presentation. There were no additional questions.

IV. Foster Care and Medicaid Managed Care

*Latanya Hairston, Foster Care & Adoption Assistance Coordinator
Virginia Department of Medical Assistance Services*

Ms. Latanya Hairston gave an update on Department of Medical Assistance Services' (DMAS) progress in rolling out managed care to Virginia's foster care children.

Ms. Hairston outlined the legislative authority for managed care for foster care children, including Foster Care Inclusion Pilot Language in the 2011 Acts of Assembly for the City of Richmond. The 2012 Acts of Assembly expanded managed care to other regions, allowing foster care children to be enrolled in Medicaid managed care. Ms. Hairston noted that the transition will conclude with the Southwest region on June 1, 2014. Training sessions for local DSS staff and parents are being held statewide, and DMAS and local departments of social services have successfully collaborated to identify the foster care and adoption assistance youth. DMAS had been providing webinars on the DMAS site for local DSS staff and parents. Moreover an email address has been created (fostercare@dmass.virginia.gov) so that local social service workers and families can submit questions via email.

Ms. Hairston explained some of the benefits to the children include enhanced coordination of health care services, improved access to providers, and access to specialty care and case management services. Specialty care and case management services include health risk assessments, disease management programs, transportation services, and translation services.

Local social service workers provided positive feedback on the benefits of Medicaid Managed Care. Identified benefits include the following:

- assistance in navigating the system and locating providers;
- having point of contact from each managed care organization to help address urgent matters;
- sharing network information at each training session; and
- availability of additional resources for special needs population.

Delegate Peace thanked Ms. Hairston for her presentation. There were no questions.

V. Approval of Commission on Youth 2014 Study Plans

Ms. Atkinson

Delegate Peace introduced Ms. Atkinson again, and then recommended that she provide a brief review of each study plan and that the Commission members adopt the study plans in a block, if they found them to be acceptable. Ms. Atkinson asked the members to review the listing of potential agenda items included in their packets. She noted that they were welcome to offer any additional topics or suggestions.

Ms. Atkinson presented the 2014 study plans.

- HJR 196 - The Use of Federal, State, and Local Funds for Private Educational Placements of Students with Disabilities

Ms. Atkinson explained that Delegate Adams brought HJR 196 to look at Comprehensive Services Act. She noted that the study was originally assigned to the Joint Legislative Audit and Review Commission; however, the Commission could complete this as a two-year study.

Delegate Peace asked if Ms. Atkinson has spoken to Delegate Adams, and she noted that has met with him and he was in agreement.

- HB 1106 – Use of Restraint/Seclusion by Schools for Youth with Intellectual Disability

Ms. Atkinson discussed the study plan assess the use of restraint and seclusion in schools. She noted that the Commission will work close to the Virginia Department of Education, and that the Commission will research best practices throughout the country. The Commission will then develop final recommendations. The Commission will also contact the Virginia Department of Behavioral Health and Developmental Services.

Delegate Brink mentioned that this bill had a tortured course through the General Assembly, and he asked whether the Commission would act with the Joint Commission on Health Care. Ms. Atkinson answered that the legislation originally had the Office of the Inspector General conducting the study but that the Office stated that the bill would have a fiscal impact of \$250,000. She then stated that the Commission will take the lead, but would work with the Department of Education and Department of Behavioral Health and Developmental Services.

- SJR 358 – Evidence-based Practices for Children and Adolescents with Mental Health Treatment Needs

Ms. Atkinson outlined the *Collection of Evidence-based Treatments for Children and Adolescents with Mental Health Treatment Needs (Collection)*, and explained that it is currently in its fifth edition. The Commission is working to update the *Collection* and incorporate changes from the DSM-5, which was published in May, 2013. She pointed out that there are many changes, notably in obsessive-compulsive disorder, autism, and ADHD diagnoses. Additionally, staff is working to include a crosswalk between the *DSM-IV* and *DSM-5* for this edition.

Ms. Atkinson noted that staff has spent more than 850 hours on the *Collection* at this point. She stated it was important that the changes be correct because the *Collection* is regularly used.

Delegate Peace thanked Ms. Atkinson and staff for their hard work.

- SB 411 – Unlawful Placement of a Child for Adoption

Ms. Atkinson stated that Commission had received a letter from the Clerk of the Senate requesting that the Commission study this topic. The study originated from SB 411, introduced by Senator McWaters. The bill would have made it a Class 6 felony for any parent or guardian to transfers a child outside of established adoption laws. The legislation would also create an exception for kinship care arrangements for the purposes of school enrollment or other established legal procedures for transferring custody.

Ms. Atkinson noted that the term “re-homing” is when a parent or guardian transfers a child for adoption outside of established adoption laws. The news report prompting this bill told the story of several children whose parents advertised them on Yahoo and Facebook. However, the Commission is aware that state agencies, adoption agencies, and churches also use social media. It was important that all sides of this issue be studied.

Delegate Peace inquired about the kinship care provision included in the legislation and noted the Commission had studied this issue. Ms. Atkinson pointed out that the kinship care language is directly taken from SB 411 and only outlines the school enrollment provisions currently afforded to kinship care arrangements.

Delegate Brink mentioned that former Secretary of the Commonwealth under Governor Bob McDonnell, Janet Vestal Kelly, did wonderful work on adoption. He asked if the Commission would bring her in to help with this study. Ms. Atkinson answered that it would be a wonderful idea to include Ms. Kelly.

Delegate Peace noted that the Commonwealth is still working on finalizing a budget. He stated that one version included language about extending benefits to foster care youth up to age 21. He asked that any meeting attendees who were able to do so reach out to the budget conferees and support the importance of funding foster care benefits through age 21.

- Court Appointed Counsel in Child Welfare Cases

Ms. Atkinson explained that Senator Barker requested that the Commission study compensation for court-appointed counsel in child welfare cases. She stated that these cases are separate from guardians ad litem or juvenile criminal representation. Instead, counsel represent the parents in cases affecting their parental rights.

Mr. Slemp stated that this study was long overdue. Ms. Atkinson thanked Mr. Slemp and stated that staff would be happy to include him in this study effort.

- Early Childhood Education – Workgroup on Quality

Ms. Atkinson informed the members that the Commission was hosting an Early Childhood Education Workgroup on Quality. The workgroup will be held on June 17, 2014, from 10:00 a.m. until 2:00 p.m. Ms. Atkinson stated that both the Governor and the Lieutenant Governor have expressed quality early childhood education is high priority to their administrations.

Delegate Peace stated that Mississippi State Senator Brice Wiggins attended a reception during the General Assembly session and discussed the successes in Mississippi. He continued that Secretary of Education Anne Holton, the Lieutenant Governor, and the Secretary of the Commonwealth have expressed support for this initiative and offered their Offices' assistance.

- Three Branch Institute on Child Social and Emotional Well-Being

Ms. Atkinson explained that the study plan for the Three Branch Institute was a continuation of the previous year's study plan.

Delegate Peace thanked Ms. Atkinson for her presentations.

Delegate Peace stated that, if there was no objection, that the Commission adopt the study plans in a block by consensus. The members agreed and adopted the study plans by consensus unanimously.

Delegate Peace asked if anyone in the audience wished to offer public comment. Ms. Allyson Roberts, Mentoring Coordinator for Great Expectations, a major initiative of the Virginia Foundation for Community College Education, provided public comment. Ms. Roberts informed the Commission that children aging out of foster care must receive extended benefits. Because of changes in educational expectations and the economy, age 25 is really being seen as the new 18. Children aging out of foster care must be prepared to earn a family-sustaining wage, and these youth need help to be able to do so. Secretary of Education Anne Holton supports this position. Ms. Roberts continued that the Commonwealth should do what it can to help these children become taxpayers rather than tax liabilities. She said that the Commonwealth might spend up to one million dollars per child and, without continued support, these children end up living under a bridge within six months of turning 18. Continued support can help prevent this from occurring.

Delegate Peace reminded the Commission Members of the Early Child Education Workgroup on Quality scheduled for June 17, 2014, from 10:00 a.m. until 2:00 p.m.

The meeting adjourned at approximately 10:50 a.m.